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08/873,974	06/12/1997	MICHAEL C. SCROGGIE	CAT/34-SCRO-US	2461
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NEIFELD IP LAW, PC 4813-B EISENHOWER AVENUE ALEXANDRIA, VA 22304			EXAMINER ROBINSON BOYCE, AKIBA K	
			ART UNIT	PAPER NUMBER
			3628	
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			05/23/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

08/873,974

Applicant(s)

SCROGGIE ET AL.

Examiner

AKIBA K. ROBINSON BOYCE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 50-89 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 50-89 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Due to the decision from the Board of Patent and Interferences filed 1/31/08, prosecution of this case has been re-opened. Claims 50-89 are pending in this application and have been examined on the merits. The following is a non-final rejection. Claims 50-89 are now rejected as follows.

2. In view of the newly discovered references to Jovicic, Smolen and Perkowski; and related application 09/505,632, PROSECUTION IS HEREBY REOPENED. A new grounds of rejection is set forth below.

A Technology Center Director has approved of reopening prosecution by signing below:

Wynn Coggins, Director TC-3600.

/Wynn W. Coggins/

Director, TC 3600

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 50-51, 54-58, 60-61, 64-68, 70-71, 74-78, 80-81, 84-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al, (US 5,855,007).

As per claim 50, Jovicic et al discloses:

a cooperative network site configured to store at least one of (i) manufacturer incentives to purchase one of a product and a service offered by a manufacturer and (ii) retailer incentives to purchase one of a product and a service offered by a retailer, (col. 2, lines 65-66, coupon data stored in a Internet coupon notification center);

at least one of a manufacturer network site and a retailer network site coupled to said cooperative network site via said communication network, (col. 2, lines 65-67, shows Internet coupon notification center is linked with retail outlet's computer system); and

a consumer computer coupled to one of said manufacturer network site and retailer network site via said communication network, (Fig. 1, (102), where the internet node is where the user of a computer communicates with the system as shown in col. 4, lines 17-21, also shows it is connected to the redemption center (retail outlet store shown in col. 2, line 27) by way of Internet).

wherein said cooperative network site is configured to transmit at least one of said manufacturer incentives and retailer incentives to said consumer over said communication network, in response to a consumer request made over said

communication network..., (Col. 3, lines 47-50, user makes online selection in Col. 3, lines 5-67, and col. 4, lines 19-21, selecting a coupon, w/ col. 4, lines 26-28, transmitting the electronic coupon to the user's computer network node).

Jovicic et al does not specifically disclose that the consumer requests coupons from the retailer/manufacturer and then sending the coupons to the consumer from the cooperative network site, however does disclose that the consumer requests and receives the actual coupons from the cooperative network site, and also teaches that the retailer provides the coupon information to the cooperative network site since the coupon generation database specifies coupons that are made available in Col. 6, lines 34-41 and Col. 11, lines 44-48. In addition, Jovicic teaches that the ICNC could be coupled with the Internet Coupon Server in Col. 10, lines 50-58. Therefore, the teachings of Jovicic would suggest that the coupons may also be generated/sent to customer from the ICNC/Internet Coupon Server combined unit.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the consumer's request to be from one of said manufacturer network site and retailer network site with the motivation of allowing the consumer the option of selecting either manufacture's coupons or retailer's coupons.

As per claim 51, Jovicic et al discloses:

wherein said cooperative network site is configured to store at least one of said manufacturer incentives and retailer incentives in a data base coupled thereto, (Col. 6, lines 34-41 and Col. 11, lines 44-48, coupons stored in database).

As per claim 54, Jovicic et al discloses:

wherein, in response to a query from said consumer made over said communication network from said retailer network site, said cooperative network site transmits incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, (Col. 10, line 46-Col 11, line 3, In response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message w/Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer);

said consumer transmits incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

said cooperative network site transmits incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 55, Jovicic et al discloses:

wherein, in response to a query from said consumer made over said communication network from said retailer network site, said cooperative network site transmits a consumer personal page including incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, (Col. 3, lines 49-59, shows coupons contain a personalized message, where coupons come from coupon server and can be transmitted to the user's computer network node as shown in col. 4, lines 26-28)

said consumer transmits incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

said cooperative network site transmits incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 56, Jovicic et al discloses:

wherein, in response to said consumer transmitting an identification code over said communication network from said retailer network site, said cooperative network site transmits incentive data for manufacturer offers available at said retailer to said

consumer via said retailer network site, said incentive data is based on consumer specific data of said consumer associated with said identification code, (Col. 4, lines 30-47, placing coupon indicia in browsing memory based on user identification);

said consumer transmits incentive selection data selected from said incentive data to said cooperative network site Via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

said cooperative network site transmits incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 57, Jovicic et al discloses:

wherein said incentive data is based on said consumer specific data comprising a shopping history of said consumer, (col. 9, lines 10-37, shows past transactions are stored and used for generation of coupon data).

As per claim 58, Jovicic et al discloses:

wherein said incentive data is based on said consumer specific data comprising demographic data of said consumer, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server).

As per claim 60, Jovicic et al discloses:

storing at least one of (i) manufacturer incentives to purchase one of a product and a service offered by a manufacturer and (ii) retailer incentives to purchase one of a product and a service offered by a retailer at a cooperative network site, (col. 2, lines 65-66, coupon data stored in a Internet coupon notification center);

coupling at least one of a manufacturer network site and a retailer network site to said cooperative network site via said communication network, (col. 2, lines 65-67, shows Internet coupon notification center is linked with retail outlet's computer system);

coupling a consumer computer to one of said manufacturer network site and retailer network site via said communication network, (Fig. 1, (102), where the internet node is where the user of a computer communicates with the system as shown in col. 4, lines 17-21, also shows it is connected to the redemption center (retail outlet store shown in col. 2, line 27) by way of Internet); and

transmitting from said cooperative network site at least one of said manufacturer incentives and retailer incentives to said consumer over said communication network, in response to a consumer request made over said communication network ..., (Col. 3, lines 47-50, user makes online selection in Col. 3, lines 5-67, and col. 4, lines 19-21,

selecting a coupon, w/ col. 4, lines 26-28, transmitting the electronic coupon to the user's computer network node).

Jovicic et al does not specifically disclose that the consumer requests coupons from the retailer/manufacturer and then sending the coupons to the consumer from the cooperative network site, however does disclose that the consumer requests and receives the actual coupons from the cooperative network site, and also teaches that the retailer provides the coupon information to the cooperative network site since the coupon generation database specifies coupons that are made available in Col. 6, lines 34-41 and Col. 11, lines 44-48. In addition, Jovicic teaches that the ICNC could be coupled with the Internet Coupon Server in Col. 10, lines 50-58. Therefore, the teachings of Jovicic would suggest that the coupons may also be generated/sent to customer from the ICNC/Internet Coupon Server combined unit.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the consumer's request to be from one of said manufacturer network site and retailer network site with the motivation of allowing the consumer the option of selecting either manufacture's coupons or retailer's coupons.

As per claim 61, Jovicic et al discloses:

storing at said cooperative network site at least one of said manufacturer incentives and retailer incentives in a data base coupled thereto, (Col. 6, lines 34-41 and Col. 11, lines 44-48, coupons stored in database).

As per claim 64, Jovicic et al discloses:

transmitting from said cooperative network site incentive data for manufacturer offers available at said retailer to said consumer Via said retailer network site, in response to a query from said consumer made over said communication network from said retailer network site, (Col. 10, line 46-Col 11, line 3, In response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message w/Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer);

transmitting by said consumer incentive selection data Selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 65, Jovicic et al discloses:

transmitting from said cooperative network site a consumer personal page including incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to a query from said consumer made over said communication network from said retailer network site, (Col. 3, lines 49-59, shows coupons contain a personalized message, where coupons come from coupon server and can be transmitted to the user's computer network node as shown in col. 4, lines 26-28)

transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 66, Jovicic et al discloses:

transmitting from said cooperative network site incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to said consumer transmitting an identification code over said communication

network from said retailer network site, and basing said incentive data on consumer specific data of said consumer associated with said identification code, (Col. 4, lines 30-47, placing coupon indicia in browsing memory based on user identification);

transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 67, Jovicic et al discloses:

basing said incentive data on said consumer specific data comprising a shopping history of said consumer, (col. 9, lines 10-37, shows past transactions are stored and used for generation of coupon data).

As per claim 68, Jovicic et al discloses:

basing said incentive data on said consumer specific data comprising demographic data of said consumer, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server).

As per claim 70, Jovicic et al discloses:

means for storing at least one of (i) manufacturer incentives to purchase one of a product and a service offered by a manufacturer and (ii) retailer incentives to purchase one of a product and a service offered by a retailer at a cooperative network site, (col. 2, lines 65-66, coupon data stored in a Internet coupon notification center);

means for coupling at least one of a manufacturer network site and a retailer network site to said cooperative network site via said communication network, (col. 2, lines 65-67, shows Internet coupon notification center is linked with retail outlet's computer system);

means for coupling a consumer computer to one of said manufacturer network site and retailer network site via said communication network, (Fig. 1, (102), where the internet node is where the user of a computer communicates with the system as shown in col. 4, lines 17-21, also shows it is connected to the redemption center (retail outlet store shown in col. 2, line 27) by way of Internet); and

means for transmitting from said cooperative network site at least one of said manufacturer incentives and retailer incentives to said consumer over said communication network, in response to a consumer request made over said communication network ..., (Col. 3, lines 47-50, user makes online selection in Col. 3, lines 5-67, and col. 4, lines 19-21, selecting a coupon, w/ col. 4, lines 26-28, transmitting the electronic coupon to the user's computer network node).

Jovicic et al does not specifically disclose that the consumer requests coupons from the retailer/manufacturer and then sending the coupons to the consumer from the cooperative network site, however does disclose that the consumer requests and receives the actual coupons from the cooperative network site, and also teaches that the retailer provides the coupon information to the cooperative network site since the coupon generation database specifies coupons that are made available in Col. 6, lines 34-41 and Col. 11, lines 44-48. In addition, Jovicic teaches that the ICNC could be coupled with the Internet Coupon Server in Col. 10, lines 50-58. Therefore, the teachings of Jovicic would suggest that the coupons may also be generated/sent to customer from the ICNC/Internet Coupon Server combined unit.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the consumer's request to be from one of said manufacturer network site and retailer network site with the motivation of allowing the consumer the option of selecting either manufacture's coupons or retailer's coupons.

As per claim 71, Jovicic et al discloses:

means for storing at said cooperative network site at least one of said manufacturer incentives and retailer incentives in a data base coupled thereto, (Col. 6, lines 34-41 and Col. 11, lines 44-48, coupons stored in database).

As per claim 74, Jovicic et al discloses:

means for transmitting from said cooperative network site incentive data for manufacturer offers available at said retailer to said consumer via said retailer network

site, in response to a query from said consumer made over said communication network from said retailer network site, (Col. 10, line 46-Col 11, line 3, In response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message w/Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer);

means for transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

means for transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 75, Jovicic et al discloses:

means for transmitting from said cooperative network site a consumer personal page including incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to a query from said consumer

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made over said communication network from said retailer network site, (Col. 3, lines 49-59, shows coupons contain a personalized message, where coupons come from coupon server and can be transmitted to the user's computer network node as shown in col. 4, lines 26-28);

means for transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

means for transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 76, Jovicic et al discloses:

means for transmitting from said cooperative network site incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to said consumer transmitting an identification code over said communication network from said retailer network site, and basing said incentive data on consumer specific data of said consumer associated with said identification code, (Col. 4, lines 30-47, placing coupon indicia in browsing memory based on user identification);

means for transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

means for transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 77, Jovicic et al discloses:

means for basing said incentive data on said consumer specific data comprising a shopping history of said consumer, (col. 9, lines 10-37, shows past transactions are stored and used for generation of coupon data).

As per claim 78, Jovicic et al discloses:

means for basing said incentive data on said consumer specific data comprising demographic data of said consumer, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server).

As per claim 80, Jovicic et al discloses:

storing at least one of (i) manufacturer incentives to purchase one of a product and a service offered by a manufacturer and (ii) retailer incentives to purchase one of a

product and a service offered by a retailer at a cooperative network site, (col. 2, lines 65-66, coupon data stored in a Internet coupon notification center);

coupling at least one of a manufacturer network site and a retailer network site to said cooperative network site via said communication network, (col. 2, lines 65-67, shows Internet coupon notification center is linked with retail outlet's computer system);

coupling a consumer computer to one of said manufacturer network site and retailer network site via said communication network, (Fig. 1, (102), where the internet node is where the user of a computer communicates with the system as shown in col. 4, lines 17-21, also shows it is connected to the redemption center (retail outlet store shown in col. 2, line 27) by way of Internet); and

transmitting from said cooperative network site at least one of said manufacturer incentives and retailer incentives to said consumer over said communication network, in response to a consumer request made over said communication network ..., (Col. 3, lines 47-50, user makes online selection in Col. 3, lines 5-67, and col. 4, lines 19-21, selecting a coupon, w/ col. 4, lines 26-28, transmitting the electronic coupon to the user's computer network node).

Jovicic et al does not specifically disclose that the consumer requests coupons from the retailer/manufacturer and then sending the coupons to the consumer from the cooperative network site, however does disclose that the consumer requests and receives the actual coupons from the cooperative network site, and also teaches that the retailer provides the coupon information to the cooperative network site since the

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coupon generation database specifies coupons that are made available in Col. 6, lines 34-41 and Col. 11, lines 44-48. In addition, Jovicic teaches that the ICNC could be coupled with the Internet Coupon Server in Col. 10, lines 50-58. Therefore, the teachings of Jovicic would suggest that the coupons may also be generated/sent to customer from the ICNC/Internet Coupon Server combined unit.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the consumer's request to be from one of said manufacturer network site and retailer network site with the motivation of allowing the consumer the option of selecting either manufacture's coupons or retailer's coupons.

As per claim 81, Jovicic et al discloses:

storing at said cooperative network site at least one of said manufacturer incentives and retailer incentives in a data base coupled thereto, (Col. 6, lines 34-41 and Col. 11, lines 44-48, coupons stored in database).

As per claim 84, Jovicic et al discloses:

transmitting from said cooperative network site incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to a query from said consumer made over said communication network from said retailer network site, (Col. 10, line 46-Col 11, line 3, In response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message w/Col. 11, lines 8-12, shows that as a result of the transmitted message, the

coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer);

transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 85, Jovicic et al discloses:

transmitting from said cooperative network site a consumer personal page including incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to a query from said consumer made over said communication network from said retailer network site, (Col. 3, lines 49-59, shows coupons contain a personalized message, where coupons come from coupon server and can be transmitted to the user's computer network node as shown in col. 4, lines 26-28);

transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines

47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 86, Jovicic et al discloses:

transmitting from said cooperative network site incentive data for manufacturer offers available at said retailer to said consumer via said retailer network site, in response to said consumer transmitting an identification code over said Communication network from said retailer network site, and basing said incentive data on consumer specific data of said consumer associated with said identification code, (Col. 4, lines 30-47, placing coupon indicia in browsing memory based on user identification);

transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said retailer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said retailer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

As per claim 87, Jovicic et al discloses:

basing said incentive data on said consumer specific data comprising a shopping history of said consumer, (col. 9, lines 10-37, shows past transactions are stored and used for generation of coupon data).

As per claim 88, Jovicic et al discloses:

basing said incentive data on said consumer specific data comprising demographic data of said consumer, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server).

5. Claims 52, 62, 72, 82, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al, (US 5,855,007), and further in view of Perkowski (US 6,064,979).

As per claims 52, Jovicic et al discloses:

wherein, in response to a query from said consumer made over said communication network from said manufacturer network site, said cooperative network site transmits a geographically limited...of retailers honoring incentives from said manufacturer and corresponding incentive data to said consumer via said manufacturer

network site, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server, w/Col. 10, line 46-Col 11, line 3, In response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message, w/Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer);

said consumer transmits incentive selection data selected from said incentive data to said cooperative network site via said manufacturer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

said cooperative network site transmits incentives corresponding to said selection data to said consumer via said manufacturer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

Jovicic et al does not specifically disclose that there is a list transmitted of retailers, however does disclose that the user enters demographic information such as location data to Internet Coupon Server in Col. 9, line 65-Col. 10, line 17, and in

response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message in w/Col. 10, line 46-Col 11, line 3.

However Perkowski discloses that incentive source information comprises a list, (col. 13, lines 32-37, users are provided with a list of URLs that identify the web locations at which service can be found, w/col. 18, lines 15-31, users are provided with a list of manufacturers URLs that corresponds to particular desired products, w/col. 4, lines 44-53 discloses that URLs are categorized as relating to product incentives, and shows that these URLs are displayed to the requestor for selection. Perkowski discloses this in an analogous art for the purpose of showing that incentive sources are presented in a structured list for selection by the requestor.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the source of information to comprise a list with the motivation of allowing a format which is selectable by the user.

As per claim 62, 72, 82, Jovicic et al discloses:

Transmitting/means for transmitting from said cooperative network site a geographically limited....retailers honoring incentives from said manufacturer and corresponding incentive data to said consumer via said manufacturer network site, in response to a query from said consumer made over said communication network from said manufacturer network site, (Col. 9, line 65-Col. 10, line 17, shows that the user enters demographic information such as location data to Internet Coupon Server, w/Col.

10, line 46-Col 11, line 3, In response to entry of demographic information, transmission of coupon serial number and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message, w/Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer);

Transmitting/means for transmitting by said consumer incentive selection data selected from said incentive data to said cooperative network site via said manufacturer network site, (col. 3, lines 47-50, user makes online selection to the Internet Coupon server, by way of redemption center, as shown in Fig. 1 where [122] is used for making a selection and is connected to the redemption center); and

Transmitting/means for transmitting from said cooperative network site incentives corresponding to said selection data to said consumer via said manufacturer network site, (Col. 11, lines 8-12, shows that as a result of the transmitted message, the coupon's serial number and the user's identification is stored in the coupon generation database, which is accessible by the consumer).

Jovicic et al does not specifically disclose that there is a list transmitted of retailers, however does disclose that the user enters demographic information such as location data to Internet Coupon Server in Col. 9, line 65-Col. 10, line 17, and in response to entry of demographic information, transmission of coupon serial number

and redemption center's ID # to the Internet Coupon Notification Center's database occurs by way of message in w/Col. 10, line 46-Col 11, line 3.

However Perkowski discloses that incentive source information comprises a list, (col. 13, lines 32-37, users are provided with a list of URLs that identify the web locations at which service can be found, w/col. 18, lines 15-31, users are provided with a list of manufacturers URLs that corresponds to particular desired products, w/col. 4, lines 44-53 discloses that URLs are categorized as relating to product incentives, and shows that these URLs are displayed to the requestor for selection. Perkowski discloses this in an analogous art for the purpose of showing that incentive sources are presented in a structured list for selection by the requestor.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the source of information to comprise a list with the motivation of allowing a format which is selectable by the user.

6. Claims 53, 63, 73, 83, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al, (US 5,855,007), and further in view of Perkowski (US 6,064,979), and further in view of Smolen (US Patent 5,915,243).

As per claims 53, 63, 73, 83, the combination of Jovicic et al and Perkowski does not specifically disclose that transmission takes place based on postal code, however does disclose the transmission of the geographically limited list of retailers as shown above with respect to claims 52, 62, 72 and 82.

However, Smolen discloses that transmission takes place based on postal code in, (Col. 4, lines 64-67, postal code). Smolen discloses this limitation in an analogous art for the purpose of showing that postal code data can be incorporated into a system for transmitting incentives.

It would have been obvious to one of ordinary skill in the art for the region data to be postal code data in order to determine the location of the retailer versus the location of the user for incentive transmittal purposes.

7. Claims 59, 69, 79, 89, are rejected under 35 U.S.C. 103(a) as being unpatentable over Jovicic et al, (US 5,855,007), and further in view of Smolen (US Patent 5,915,243).

As per claim 59, 69, 79, 89, Jovicic et al does not specifically disclose the following, however does disclose the storage of at least one of said manufacturer incentives and retailer incentives in a data base in Col. 6, lines 34-41 and Col. 11, lines 44-48.

However, Smolen discloses:

wherein said incentive data is based on said consumer specific data comprising customer profile data of said consumer, (col. 1, lines 5-7, information profile). Smolen discloses this limitation in an analogous art for the purpose of showing that promotions are delivered based on an information profile.

It would have been obvious to one of ordinary skill in the art to base incentive data on consumer specific data comprising customer profile data with the motivation of providing incentives based on consumer preferences.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

•Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3628

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.

May 21, 2008

/Akiba K Robinson-Boyce/

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